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#3

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Re: Patent application 10/070,236 (PCT/GB00/03503)

Dear Sir/Madam,

I have an international patent application PCT/GB00/03503, with priority date 27 Oct 1999, i.e. the end of phase II was 27 Apr 2002. In the middle of February 2002 I sent you a transmittal letter to enter the national phase in the USPTO. With the transmittal letter I sent the payment using form pto-2038. However, on 27 Feb 2002 I lost the card, and the card company cancelled the account, so you couldn't draw the payment. Therefore I faxed form pto-2038 with the number of another card, which is still valid, on 3 Mar 2002, to the number 001 703 308 6459.

Few days later I telephoned, and somebody told me they got the fax but it wasn't recorded yet. In the beginning of April I called again, and then I was told that the patent application is ok, including the payment. Unfortunately, I didn't record the exact times and the names of the people I talked with, and also since I thought it is all set, I didn't check it anymore.

Now I got from you a "notification of abandonment" (date 17 Jul 2002) informing me that the application is abandoned because I didn't pay for it. I now checked and you really didn't draw the payment from my card account. However, that must be an administrative error on your side, because you do have the pto-2038 with the number of a valid card, and had it since sometime in March. I request that you cancel the abandonment of the application (and draw the payment).

It maybe useful to know that I faxed the form pto-2038 for 10/070,236 as part of three pages fax. The first page was a letter explaining what I wrote above, and also asking few other questions, and the next two pages forms pto-2038 for application 10/070,236 and application 10/069,505. Maybe all the fax is in the file for 10/069,505.

Thanks,

Yehouda Harpaz

